Agenda Item #	4
Meeting Date	Thursday, October 6, 2005
Prepared By	Linda S. Perlman Asst. City Attorney
Approved By	Barbara B. Matthews City Manager

Special Session

Discussion Item	Placing an advisory referendum question on the City election ballot regarding instant runoff voting.
Background	The *Municipal Charter of the City of Takoma Park* ("Charter") in Section 606, Election of Mayor and Councilmembers, provides that the candidate receiving the largest number of votes is elected as Mayor or Councilmember. A runoff election is only held in the event of a tie vote. If more than two candidates run for the same office, then a candidate could be elected by a plurality vote. A number of citizens and representatives of the Center for Voting and Democracy have proposed that the City of Takoma Park adopt a majority vote requirement for City elections for Mayor and Councilmembers and an "instant runoff voting" system that would allow voters to rank candidates in order of choice and would produce a majority vote winner without a runoff election. The proponents of majority voting and instant runoff voting in City elections have proposed that the Council place an advisory referendum question on the November 8th City election ballot in order to determine if a majority of the voters favor changing the Charter to require a majority vote in order to be elected to the offices of Mayor and Councilmember and to use instant runoff voting (*i.e.*, the ranking of candidates in order of choice: 1, 2, 3 and so on) to produce a majority vote without a runoff election in the event that no candidate receives a majority of the first choice votes.
Policy	Charter Section 610 on Advisory Referendums provides that the Council can vote to place an advisory question for referendum on the ballot in any regular or special election. The question must be one regarding a matter over which the Council has authority (the revision of the Charter's election provisions is a matter over which the Council has authority). A referendum question is advisory only and does not bind or obligate the Council to take any action. An advisory referendum question is placed on the ballot by a resolution passed by a majority of the Council. The resolution must specify the exact wording of the question which is to be submitted to the voters of the City. In addition, *Takoma Park Code* Section 5.16.020, Ballots, provides that ballot questions may be captioned with a "descriptive title containing not more than 5 words" and that each ballot shall be followed by the words "For" and "Against."
Fiscal Impact	There will be minimal additional cost to add an advisory question to the ballot for the City election on November 8, 2005, and to tabulate the votes on such advisory question. If a majority of the voters vote in favor of an instant runoff voting advisory referendum question, and the Council responds by passing a Charter

	amendment resolution to revise the Charter's election provisions to provide for a majority vote requirement and instant runoff voting, then the main expense to the City will be the cost of publication: first, a notice of a public hearing on the proposed Charter amendment must be published in a newspaper of general circulation once a week for 2 successive weeks and, if the Charter Amendment Resolution is passed by the Council, then a fair summary of the Charter amendment must be published in a newspaper of general circulation once a week, for four consecutive weeks within 40 days after the date of adoption of the Charter Amendment Resolution.
Attachments	(1) Resolution placing advisory referendum question on the City election ballot regarding instant runoff voting. (2) Suggested wording for advisory referendum question.
Recommendation	The Council should consider and vote on the Resolution.
Special Consideration	

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Introduced by: Resolution Date:

CITY OF TAKOMA PARK

RESOLUTION NO. 2005-___

**(A resolution placing an advisory referendum question on the
City election ballot regarding instant runoff voting.)**

WHEREAS, Section 610 of the *Municipal Charter of the City of Takoma Park* provides
that the Council may, by resolution passed by a majority of the Council, place an advisory
referendum question on the ballot in any City election; and

WHEREAS, the Council desires to receive advice from City voters about whether or not
to adopt a Charter amendment requiring a majority vote for a candidate to be elected to the office
of Mayor or Council and providing for an instant runoff voting system in which voters would
rank candidates in order of choice in order to produce a majority vote for a candidate without a
runoff election.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
TAKOMA PARK, MARYLAND** that, pursuant to Section 610, Advisory Referendum, of the
Municipal Charter of the City of Takoma Park, the following advisory referendum question shall
appear on the ballot for the November 8, 2005, City general election:

Advisory Ballot Question - Instant Runoff Voting.

[advisory question wording to be inserted by the Council.]

For:_____   Against:_____

**THIS RESOLUTION IS ADOPTED THIS _____ DAY OF _____, 2005, BY
ROLL-CALL VOTE AS FOLLOWS:**

Aye:
Nay:
Abstain:
Absent:

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Possible Wording for Advisory Referendum Question

The Council Resolution to place an advisory referendum question on the City election ballot must specify the exact wording of the question which is to be submitted to the voters of the City and each ballot question must be followed by the words "For" and "Against."

Option 1
The City Council should amend the Charter to enact instant runoff voting for elections of the Mayor and members of the Council in order to elect these offices with a majority (over 50%) of votes by allowing voters to rank candidates in order of choice.

FOR:_____   AGAINST:_____

Option 2
The City Council should amend the Charter to change the current plurality voting method of electing the Mayor and members of the Council to instead elect these offices with a majority of the votes (over 50%) through instant runoff voting, a voting method that allows voters to rank the candidates in order of choice.

FOR:_____   AGAINST:_____

Option 3
The City Charter now provides that the candidate receiving the largest number of votes is elected as Mayor or Councilmember, with a runoff election held only in the event of a tie vote.

The City Council should amend the Charter to adopt an instant runoff voting system that allows voters to rank candidates in order of choice (1, 2, 3, and so on) to produce a majority vote for a candidate without a runoff election in the event that no candidate receives a majority of the first choice votes.

FOR:_____   AGAINST:_____